

## --LAW OFFICE OF RUDY VELEZ--

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By Electronic Filing:

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
New York, New York 10007

Re: Mario Julio Rodriguez v. Det. Louis Demarco, et al.  
18 Civ 1001 (KPF)

Dear Judge Failla:

This letter is in response to this Court's order dated July 8, 2019 wherein plaintiff is ordered to show cause in writing why this case should not be dismissed for failure to prosecute. The plaintiff provided signed releases for relevant records in possession of the manhattan District Attorney's Office at the time the complaint was filed. (See attached copy).

On July 2, 2019 plaintiff responded to interrogations and requests for production of documents by faxing and emailing the defendant's attorney. In the request for production of documents, plaintiff submitted the entirety of documents in plaintiff possession which in effect are all the disclosures in plaintiff's possession.

I am a one man firm and was on back to back Supreme Court Criminal Trials, People v. Juan Cortorereal in New York Supreme Court and People v. Steven Santiago in White Plains Supreme Court. Both Cases involved multiple defendants and re-directed my focus.

I am now fully concentrated on this case lawsuit and would ask the Court to not dismiss for failure to prosecute and the defendants have not suffered any prejudice.

By E-mail:

Cc: Tomokoonozawa, esq

Respectfully Submitted,

  
RUDY VELEZ



**DESIGNATION OF AGENT FOR ACCESS TO SEALED  
RECORDS PURSUANT TO NYCPL 160.50[1][d]**

I, Mario J. Rodriguez, Date of Birth 04/09/1963,  
SS# 597-52-9238 pursuant to NYCPL § 160.50[1][d], hereby designate ZACHARY W.  
CARTER, Corporation Counsel of the City of New York, or his authorized representative, as my  
agent to whom records of the criminal action terminated in my favor entitled People of the State  
of New York v. Mario Rodriguez, (Docket No. or Indictment No. 2016NY063693  
in Criminal Court, County of New York, State of New York, relating to my arrest on  
or about 10/24/2016, may be made available for use in Civil Action  
Mario Julio Rodriguez v. City of New York, et al, 18cv1001 (S.D.N.Y.).

I understand that until now the aforesaid records have been sealed pursuant to  
CPL § 160.50, which permits those records to be made available only (1) to persons designated  
by me, or (2) to certain other parties specifically designated in that statute.

I further understand that the person designated by me above as a person to whom  
the records may be made available is not bound by the statutory sealing requirements of CPL  
§ 160.50.

The records to be made available to the person designated above comprise all  
records and papers relating to my arrest and prosecution in the criminal action identified herein  
on file with any court, police agency, prosecutor's office or state or local agency that were  
ordered to be sealed under the provisions of CPL § 160.50.

I further authorize the release of a list from the New York City Police Department  
that identifies all my prior arrests by date of arrest, charge(s) and disposition, including all sealed  
arrests.

Mario R  
SIGNATURE

STATE OF NEW YORK       )  
  : SS.:  
COUNTY OF                )

On this 28<sup>th</sup> day of February, 2018 before me personally came Mario Julio Rodriguez, to  
me known and known to me to be the individual described in and who executed the foregoing  
instrument, and he acknowledged to me that he executed the same.

Leticia Silva  
NOTARY PUBLIC

**LETICIA SILVA**  
NOTARY PUBLIC-STATE OF NEW YORK  
NO. 01S16335580  
QUALIFIED IN BRONX COUNTY  
MY COMMISSION EXPIRES 01/19/20